

AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL HELD ON TUESDAY, SEPTEMBER 3, 2013, IN COUNCIL CHAMBERS, 17755 MAIN STREET, DUMFRIES, VIRGINIA: ON A MOTION DULY MADE BY \_\_\_\_\_, AND SECONDED BY \_\_\_\_\_, THE FOLLOWING RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE:

Charles C. Brewer, ;  
Gerald M. Foreman, II, ;  
Kristin W. Forrester, ;  
Helen D. Reynolds, ;  
Willie J. Toney, ;  
Gwen P. Washington, ;  
Derrick R. Wood, ;

**RESOLUTION PROCLAIMING SEPTEMBER 2 – 6, 2013  
PAYROLL WEEK**

**WHEREAS**, the American Payroll Association and its more than 21,000 members have launched a nationwide public awareness campaign that pays tribute to the more than 156 million wage earners in the United States and the payroll professionals who support the American system by paying wages, reporting worker earnings and withholding federal employment taxes; and

**WHEREAS**, payroll professionals in the Town of Dumfries play a key role in maintaining the economic health of the Town of Dumfries, carrying out such diverse tasks as paying into the unemployment insurance system, providing information for child support enforcement, and carrying out tax withholding, reporting and depositing; and

**WHEREAS**, payroll departments collectively spend more than \$15 billion annually complying with myriad federal and state wage and tax laws; and

**WHEREAS**, payroll professionals play an increasingly important role ensuring the economic security of American families by helping to identify noncustodial parents and making sure they comply with their child support mandates; and

**WHEREAS**, payroll professionals have become increasingly proactive in educating both the business community and the public at large about the payroll tax withholding systems; and

**WHEREAS**, payroll professionals meet regularly with federal and state tax officials to discuss both improving compliance with government procedures and how compliance can be achieved at less cost to both government and businesses.

**NOW THEREFORE BE IT RESOLVED**, that the Town Council acknowledges the week in which Labor Day falls, September 2 through 6, 2013 as National Payroll Week, Council hereby gives additional support to the efforts of the people who work in the Town of Dumfries and of the payroll profession by proclaiming the first full week of September Payroll Week for this Town.

By Order of Council.

\_\_\_\_\_  
Gerald M. Foreman, Mayor

Attest: \_\_\_\_\_  
Dawn Hobgood, Town Clerk

AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL HELD ON TUESDAY, SEPTEMBER 3, 2013, IN COUNCIL CHAMBERS, 17755 MAIN STREET, DUMFRIES, VIRGINIA: ON A MOTION DULY MADE BY \_\_\_\_\_, AND SECONDED BY \_\_\_\_\_, THE FOLLOWING RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE:

Charles C. Brewer, \_\_\_\_;  
Gerald M. Foreman, II, \_\_\_\_;  
Kristin W. Forrester, \_\_\_\_;  
Helen D. Reynolds, \_\_\_\_;  
Willie J. Toney, \_\_\_\_;  
Gwen P. Washington, \_\_\_\_;  
Derrick R. Wood, \_\_\_\_;

**RESOLUTION TO COMMEND THE DUMFRIES UNITED METHODIST CHURCH FOR ITS SERVICE TO THE COMMUNITY**

**WHEREAS**, what began as an effort to reform the Church of England under the leadership of John and Charles Wesley, Methodism turned into a religious movement in America following the victory of the Revolutionary War, and

**WHEREAS**, the need for a Methodist Church in America became obvious and John Wesley sought the help of Thomas Coke to make it a reality, and

**WHEREAS**, a community's growing faith, accompanied by Bishop Francis Asbury's visit to Dumfries in 1801 and a recorded transfer of land on June 8, 1803, which is noted in Prince William County's deed book, were the building blocks of what is now the Dumfries United Methodist Church, and

**WHEREAS**, from the early 1800s, the congregations' beliefs and faith were tested but withstood several difficulties, including multiple wars and numerous rebuildings of their church, and

**WHEREAS**, in 1965 Lee Lansing Jr.'s design of the current church was completed and the 1906 church bell was placed at the site and serves as a testament to the congregations' strength, faith and commitment to the Dumfries community, and

**WHEREAS**, the Dumfries United Methodist Church proves its dedication to serving the will of God and supporting the Dumfries community through worship, several outreach programs and various community involvement groups, and its membership and involvement in the community continues to grow, and

**WHEREAS**, the Dumfries United Methodist Church has recently celebrated its 210<sup>th</sup> Anniversary.

**NOW, THEREFORE BE IT RESOLVED** that the Town Council does hereby commend the *Dumfries United Methodist Church* and its congregation on its extensive service and spiritual support to the Dumfries citizens and welcomes Pastor Dale Gillis to lead the Church in its continued success.

By Order of Council:

\_\_\_\_\_  
Gerald M. Foreman, Mayor

Attest:

\_\_\_\_\_  
Dawn Hobgood, Town Clerk

AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL HELD ON TUESDAY, SEPTEMBER 3, 2013, IN COUNCIL CHAMBERS, 17755 MAIN STREET, DUMFRIES, VIRGINIA: ON A MOTION DULY MADE BY \_\_\_\_\_, AND SECONDED BY \_\_\_\_\_, THE FOLLOWING RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE:

Charles C. Brewer, \_\_\_\_;  
Gerald M. Foreman, II, \_\_\_\_;  
Kristin W. Forrester, \_\_\_\_;  
Helen D. Reynolds, \_\_\_\_;  
Willie J. Toney, \_\_\_\_;  
Gwen P. Washington, \_\_\_\_;  
Derrick R. Wood, \_\_\_\_;

**RESOLUTION TO APPOINT THE CHIEF OF POLICE TO THE BULL RUN  
ALCOHOL SAFETY ACTION PROGRAM POLICY BOARD**

**WHEREAS**, Alcohol Safety Action Programs (ASAP) are operated by an independent policy board as authorized by VA Code 15.1-21; and

**WHEREAS**, all ASAP programs are regulated and certified by the Commission on VASAP in Richmond; and

**WHEREAS**, The Program and Board members are fully covered by VML insurance policies and there is no liability to the Town for Board member's participation; and

**WHEREAS**, the Bull Run ASAP Program is the state certified agency in Prince William County that provides probationary services to persons convicted of Driving Under the Influence of Alcohol/Drugs; and

**WHEREAS**, the Bull Run ASAP is self-funded by fees the offenders pay referred from Court; and

**WHEREAS**, the Bull Run ASAP is comprised of appointed representatives from eleven jurisdictions that have law enforcement agencies in Prince William and Loudoun Counties; and

**WHEREAS**, the Town Council adopted a resolution endorsing the establishment of a Policy Board for Bull Run ASAP on April 5, 1988; and

**WHEREAS**, since that time the Town Council has appointed past Chiefs of Police to serve on the Bull Run ASAP Board; and

**WHEREAS**, there is a vacancy on the Bull Run ASAP Board due to the retirement of Chief of Police Robert E. Forker, Jr.

**NOW, THEREFORE BE IT RESOLVED** the Dumfries Town Council on this 3<sup>rd</sup> day of September 2013 appoints Chief of Police Rebecca S. Edwards to the Bull Run ASAP Policy Board.

By Order of Council:

\_\_\_\_\_  
Gerald M. Foreman, II, Mayor

Attest: \_\_\_\_\_  
Dawn Hobgood, Town Clerk

**AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL, HELD ON SEPTEMBER 3, 2013, IN COUNCIL CHAMBERS, 17755 MAIN STREET, DUMFRIES, VIRGINIA: ON A MOTION MADE BY \_\_\_\_\_, AND SECONDED BY \_\_\_\_\_, THE FOLLOWING ORDINANCE WAS REQUESTED TO MOVE FORWARD TO A PUBLIC HEARING BY THE FOLLOWING VOTE:**

Charles C. Brewer, ;  
Gerald M. Foreman, II, ;  
Kristin W. Forrester, ;  
Helen D. Reynolds, ;  
Willie J. Toney, ;  
Gwen P. Washington, ;  
Derrick R. Wood, ;

**RESOLUTION RECOGNIZING JOHN WEBB FOR HIS CONTINUED YEARS OF SERVICE ON THE PLANNING COMMISSION**

**WHEREAS**, on September 16, 1991, John Webb was appointed to the Planning Commission, and became a Certified Planning Commissioner by the State of Virginia shortly thereafter, and

**WHEREAS**, while serving on the Planning Commission Mr. Webb served as a Commissioner for 6 years, Vice Chair for 8 years, and Chairman for over 8 years, and

**WHEREAS**, while serving on the Planning Commission Mr. Webb contributed his efforts to the revision of the second ever comprehensive plan, helped revise the zoning ordinance three times, and continues to bestow his planning knowledge on the Town.

**NOW, THEREFORE BE IT ORDAINED** by the Council of the Town of Dumfries on this the 3rd day of September, 2013, that John Webb be recognized for his years of dedication and continued service to the Town.

By Order of Council:

\_\_\_\_\_  
Gerald M. Foreman, Mayor

Attest: \_\_\_\_\_  
Dawn Hobgood, Town Clerk

AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL, HELD ON SEPTEMBER 3, 2013, IN COUNCIL CHAMBERS, 17755 MAIN STREET, DUMFRIES, VIRGINIA: ON A MOTION MADE BY \_\_\_\_\_, AND SECONDED BY \_\_\_\_\_, THE FOLLOWING RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE:

Charles C. Brewer, ;  
Gerald M. Foreman, II, ;  
Kristin W. Forrester, ;  
Helen D. Reynolds, ;  
Willie J. Toney, ;  
Gwen P. Washington, ;  
Derrick R. Wood, ;

**RESOLUTION TO AUTHORIZE THE TOWN MANAGER ADVERTISE A PUBLIC HEARING TO AMEND TOWN CODE BY AMENDING CHAPTER 26 ENVIRONMENT, ARTICLE II NUISANCES, BY ADDING SECTION 26-22(a)(14) GRAFFITI PREVENTION AND REMOVAL**

**WHEREAS**, the Town of Dumfries has experienced issues with graffiti throughout the Town and the current Dumfries Town Code does not allow for a way to require the remediation of graffiti; and

**WHEREAS**, graffiti is unsightly, injurious to the public at large and constitutes a public nuisance; and

**WHEREAS**, the prevention and remediation/removal of graffiti is in the interest of the public safety and welfare of the Town; and

**WHEREAS**, the Town Council is interested in adopting an ordinance to prevent and remediate graffiti in the Town and Council discussed adopting a graffiti prevention and removal amendment to the Nuisance Ordinance at its August 20, 2013 work session; and

**WHEREAS**, Town Council directed staff to move forward with scheduling a public hearing on an ordinance to adopt the amendment to Article II, Chapter 26, Section 26-22(a)(14), which will give the Town a way to remediate graffiti.

**NOW, THEREFORE, BE IT RESOLVED** by Town Council that the Town Manager is authorized to advertise for a public hearing to be held on October 1, 2013 to consider the adoption of the amendment to the Nuisance Ordinance.

By Order of Council:

\_\_\_\_\_  
Gerald M. Foreman, Mayor

ATTEST:

\_\_\_\_\_  
Dawn Hobgood, Town Clerk

**NOTICE OF PUBLIC HEARING**

**BY THE TOWN COUNCIL  
OF THE TOWN OF DUMFRIES, VIRGINIA ON**

**October 1, 2013 at 7:00 PM  
or as soon thereafter as may be heard**

The Town Council of the Town of Dumfries hereby gives notice of a Public Hearing to consider an amendment to the Code of the Town of Dumfries specifically to amend Article II Nuisances of Chapter 26 Environment by adding 26-22(a)(14) Graffiti Prevention and Removal.

All supporting material is available for public inspection at the Office of the Town Clerk at 17755 Main Street, Dumfries, Virginia 22026 between the hours of 8:30 AM and 5:00 PM; M-F. The public hearing is being held in a public facility believed to be accessible to persons with disabilities. Any person with questions on the accessibility of the facility or needing to discuss accommodation of a disability should contact the Town Clerk at 703-221-3400 or [dhobgood@dumfriesva.gov](mailto:dhobgood@dumfriesva.gov), during normal working hours.

BY GERALD FOREMAN, MAYOR  
TOWN OF DUMFRIES, VIRGINIA

Press Release dates of September 18 and 25

**AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL, HELD ON OCTOBER 1, 2013, IN COUNCIL CHAMBERS, 17755 MAIN STREET, DUMFRIES, VIRGINIA: ON A MOTION MADE BY \_\_\_\_\_, AND SECONDED BY \_\_\_\_\_, THE FOLLOWING ORDINANCE WAS REQUESTED TO MOVE FORWARD TO A PUBLIC HEARING BY THE FOLLOWING VOTE:**

Charles C. Brewer, ;  
Gerald M. Foreman, II, ;  
Kristin W. Forrester, ;  
Helen D. Reynolds, ;  
Willie J. Toney, ;  
Gwen P. Washington, ;  
Derrick R. Wood, ;

**ORDINANCE TO AMEND THE CODE OF THE TOWN OF DUMFRIES,  
VIRGINIA, AS AMENDED, BY AMENDING CHAPTER 26 ENVIRONMENT,  
ARTICLE II NUISANCES, BY ADDING SECTION 26-22(a)(14) GRAFFITI  
PREVENTION AND REMOVAL**

**WHEREAS**, the Town of Dumfries has experienced issues with graffiti throughout the Town and the current Dumfries Town Code does not allow for a way to require the remediation of graffiti; and

**WHEREAS**, graffiti is unsightly, injurious to the public at large and constitutes a public nuisance; and

**WHEREAS**, the prevention and remediation/removal of graffiti is in the interest of the public safety and welfare of the Town; and

**WHEREAS**, a review of the Town Code shows there is no Town Ordinance requiring a minimum standard of maintenance and care for residential properties, and

**WHEREAS**, Town Council discussed the matter at their August 20, 2013 meeting and directed staff to move forward with scheduling a public hearing on an ordinance to adopt the amendment to Article II, Chapter 26, Section 26-22(a)(14) making graffiti a nuisance, and

**WHEREAS**, Town Council requested the Town Manager advertise a public hearing at their September 3, 2013 meeting, and

**WHEREAS**, Town Council held a duly advertised public hearing on October 1, 2013.

**NOW, THEREFORE BE IT ORDAINED** by the Council of the Town of Dumfries on this the 1st day of October, 2013, that the Code of Ordinances, Town of Dumfries, Virginia, as amended, is further amended by amending and adding Section 26-22(a)(14) to Chapter 26, Article II and is enacted as follows:



**Article II of Chapter 26, Sect. 26-22(a)(14)**

Sect. 26-22

14. *Graffiti Prevention and Removal*

(a) It shall be unlawful for any person to willfully or maliciously damage or deface any public building, facility or personal property or any private building, facility or personal property.

(b) *Definition.* "Graffiti" or "defacement" shall mean the unauthorized application by any means of any writing, painting, drawing, etching, scratching or marking of an inscription, word, mark, figure or design of any type on any public or private building or other real estate or personal property owned, operated or maintained by a governmental entity or agency or instrumentality thereof or by any private person, firm, or corporation.

(c) *Graffiti declared a nuisance.* Damage to or defacement of property within the Town is expressly declared a public nuisance, and is subject to the removal and abatement procedures specified in this article.

This ordinance shall become effective on October 1, 2013.

By Order of Council:

\_\_\_\_\_  
Gerald M. Foreman, Mayor

Attest: \_\_\_\_\_  
Dawn Hobgood, Town Clerk



AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL, HELD ON SEPTEMBER 3, 2013, IN COUNCIL CHAMBERS, 17755 MAIN STREET, DUMFRIES, VIRGINIA: ON A MOTION MADE BY \_\_\_\_\_, AND SECONDED BY \_\_\_\_\_, THE FOLLOWING RESOLUTION WAS ADOPTED BY THE FOLLOWING VOTE:

Charles C. Brewer, ;  
Gerald M. Foreman, II, ;  
Kristin W. Forrester, ;  
Helen D. Reynolds, ;  
Willie J. Toney, ;  
Gwen P. Washington, ;  
Derrick R. Wood, ;

**RESOLUTION TO AUTHORIZE THE TOWN MANAGER ADVERTISE A PUBLIC HEARING TO AMEND TOWN CODE BY ADDING ARTICLE IV, VIRGINIA MAINTENANCE CODE TO CHAPTER 14, SECTIONS 14-190 THROUGH 14-195**

**WHEREAS**, the Town Council recognizes a need for the health, safety, and general welfare of its citizens to consider adopting an ordinance to address property owners maintaining their property; and

**WHEREAS**, the Town Council discussed adopting the Virginia Maintenance Code at its August 20, 2013 work session; and

**WHEREAS**, Town Council directed staff to move forward with scheduling a public hearing on an ordinance to adopt the amendment to Article IV, Chapter 14, Sections 190-195.

**NOW, THEREFORE, BE IT RESOLVED** by Town Council that the Town Manager be authorized to advertise for a public hearing to be held on October 1, 2013 for the consideration of adopting Article IV, Virginia Maintenance Code, Chapter 14, Sections 14-190 through 14-195.

By Order of Council:

\_\_\_\_\_  
Gerald M. Foreman, Mayor

ATTEST:

\_\_\_\_\_  
Dawn Hobgood, Town Clerk

**NOTICE OF PUBLIC HEARING**

**BY THE TOWN COUNCIL  
OF THE TOWN OF DUMFRIES, VIRGINIA ON**

**October 1, 2013 at 7:00 PM  
or as soon thereafter as may be heard**

The Town Council of the Town of Dumfries hereby gives notice of a Public Hearing to consider an amendment to the Code of the Town of Dumfries specifically to amend Chapter 14 by adding Article IV, Virginia Maintenance Code, Sections 14-190 – 14-195.

All supporting material is available for public inspection at the Office of the Town Clerk at 17755 Main Street, Dumfries, Virginia 22026 between the hours of 8:30 AM and 5:00 PM; M-F. The public hearing is being held in a public facility believed to be accessible to persons with disabilities. Any person with questions on the accessibility of the facility or needing to discuss accommodation of a disability should contact the Town Clerk at 703-221-3400 or [dhobgood@dumfriesva.gov](mailto:dhobgood@dumfriesva.gov), during normal working hours.

BY GERALD M. FOREMAN, MAYOR  
TOWN OF DUMFRIES, VIRGINIA

Press Release dates of September 18 and 25

**AT A REGULAR MEETING OF THE DUMFRIES TOWN COUNCIL, HELD ON OCTOBER 1, 2013, IN COUNCIL CHAMBERS, 17755 MAIN STREET, DUMFRIES, VIRGINIA: ON A MOTION MADE BY \_\_\_\_\_, AND SECONDED BY \_\_\_\_\_, THE FOLLOWING ORDINANCE WAS REQUESTED TO MOVE FORWARD TO A PUBLIC HEARING BY THE FOLLOWING VOTE:**

Charles C. Brewer, ;  
Gerald M. Foreman, II, ;  
Kristin W. Forrester, ;  
Helen D. Reynolds, ;  
Willie J. Toney, ;  
Gwen P. Washington, ;  
Derrick R. Wood, ;

**AN ORDINANCE TO AMEND THE CODE OF THE TOWN OF DUMFRIES, VIRGINIA, AS AMENDED, BY ADDING ARTICLE IV, TO CHAPTER 14, SECTIONS 190-195 RELATING GENERALLY TO MAINTENANCE AND CARE FOR RESIDENTIAL PROPERTIES**

**WHEREAS**, a review of the Dumfries own Code shows there is no Town Ordinance requiring a minimum standard of maintenance and care for residential properties, and

**WHEREAS**, it is in the public interest, health, safety and welfare that the Town Council adopt a maintenance code to provide for minimum standards of maintenance for residential properties in Town; and

**WHEREAS**, Town Council discussed the matter at their August 20, 2013 meeting and directed staff to move forward with scheduling a public hearing on an ordinance to adopt the Virginia Maintenance Code of the Virginia Uniform Statewide Building Code to require property owners to maintain their property, and

**WHEREAS**, Town Council requested the Town Manger advertise a public hearing at their September 3, 2013 meeting, and

**WHEREAS**, Town Council held a duly advertised public hearing on October 1, 2013.

**NOW, THEREFORE BE IT ORDAINED** by the Council of the Town of Dumfries on this the 3rd day of September, 2013, that the Code of Ordinances, Town of Dumfries, Virginia, as amended, is further amended by adding Article IV, to Chapter 14, Sections 14-190 through Section 14-195 and is enacted as follows:

**Article IV of Chapter 14, Virginia Maintenance Code**

Sect. 14-190 Code Official

The Zoning Administrator shall be appointed to Code Official, or any Town official with requirements as set forth by the State of Virginia by having achieved Advance Official certification by the VA Department of Housing and Community Development.

#### Sect. 14-191 Adoption

The Maintenance Code provisions, Part III of the Virginia Uniform Statewide Building Code and amendments thereto, as adopted by reference and promulgated by the State Board of Housing and Community Development, are hereby adopted by reference as the official Property Maintenance Code of the Town of Dumfries (the "Maintenance Code"). A copy of the Maintenance Code will be available for review at the Town office.

The Maintenance Code shall be the standard of maintenance, rehabilitation, development, and reuse of existing buildings and structures, and their associated equipment, whether occupied or vacant, after completion of construction, or where not otherwise regulated by the building code.

#### Sect. 14-192 Enforcement

Inspections and enforcement shall be conducted by the Code Official and/or Technical Assistant. The Code Official shall be responsible for assuring that all powers are carried out in accordance with the provisions of the Maintenance Code.

Interior inspections shall not be conducted unless invited into the dwelling by the occupant, or unless authorized by the court. Interior inspections will be used only to ensure adequate living standards are provided to the tenant from the landlord; however, life safety concerns will prevail in all circumstances.

#### Sect. 14-193 Landlord Tenant Disputes

All tenants reporting property maintenance complaints must first show proof that they have contacted the owner and allowed a reasonable amount of time for repairs to be made. If legal proceedings have begun between the tenant and landlord the Town will not become involved.

#### Sect. 14-194 Penalties

Whoever violates any provisions of this Chapter, by doing a prohibited act, or failing to perform a required act, or failing to perform permitted acts in the prescribed manner shall be subject to the penalties as specified in the USBC.

##### A. Criminal

Unless designated otherwise in this Article, violations of this Chapter are misdemeanors and, upon conviction, may be punished by a fine of not more than that amount authorized for violations of the USBC by Code of Virginia, Sect. 106 of Chapter 36; additionally if the violation remains uncorrected at the time of the conviction, the court shall order the violator to abate or remedy the violation in good order to comply with the Code. Except as otherwise provided by the court for good cause shown, any such violator shall abate or remedy the violation within six months of the date of conviction. Each day during which the violation continues after the court ordered abatement period has ended shall constitute a separate offense.

## B. Civil Penalties

1. There are hereby established civil penalties for any violation of the provisions of Part III of the USBC, known as the Virginia Maintenance Code (Maintenance Code), excluding the provisions of Section 105 of The Code - Unsafe Structures or Structures Unfit for Human Habitation, which are prosecuted as set forth in Subsection (14-194A) above. Upon failure to abate or remedy pursuant to a notice of violation, the Code Official or designee may issue a civil summons to any person in violation of any of the provisions of the Maintenance Code as enumerated herein. The penalty for any one violation shall be a civil penalty of not more than \$150 for the initial summons, and not more than \$150 for each additional summons. However, subsequent specified violations arising from the same operative set of facts shall not be charged more frequently than once in a ninety day period, and a series of specified violations arising from the same operative set of facts shall not result in civil penalties which exceed a total of \$3,000.
2. Any person summoned for a scheduled violation may make an appearance in person or in writing by mail to the Town Treasurer prior to the date fixed for trial in court. Any person so appearing may enter a waiver of trial, admit liability, and pay the civil penalty established for the offense charged. Such person shall be informed of their right to stand trial and that a signature to an admission of liability will have the same force and effect as a judgment of court. As a condition of waiver of trial, admission of liability and payment of a civil penalty, the violator and representative of the locality shall agree in writing to terms of abatement or remediation of the violation within six months after the date of payment of the civil penalty.
3. If a person charged with a scheduled violation does not elect to enter a waiver of trial and admit liability, the violation shall be tried in the General District Court in the same manner and with the same right of appeal as provided for by law. In any trial for a scheduled violation authorized by this section, it shall be the burden of the locality to show the liability of the violator by a preponderance of the evidence. An admission of liability or finding of liability shall not be a criminal conviction for any purpose.
4. If the violation concerns a residential unit, and if the violation remains uncorrected at the time of the assessment of the civil penalty, the court shall order the violator to abate, or otherwise remedy through hazard control, the violation in order to comply with the Code.

### Sect. 14-195 Appeals

The Maintenance Code Board of Appeals for the town is hereby designated as the appeals board to hear appeals arising from the code official's application of the Maintenance Code.

This ordinance shall become effective on October 1, 2013.

By Order of Council:

\_\_\_\_\_  
Gerald M. Foreman, Mayor

Attest: \_\_\_\_\_  
Dawn Hobgood, Town Clerk